



Public Comments on the Draft Comprehensive Plan Update and Responses December 2016

Table of Contents

[Public Comments on the Draft Comprehensive Plan Update and Responses](#)

[Introduction](#)

[Comment Analysis Process](#)

[Changes in Response to Public Input](#)

[Comments/Responses on the Comprehensive Plan](#)

[Accountability](#)

[Coordination and Collaboration](#)

[Creative Conservation Funding](#)

[Environment and the Economy](#)

[Environmental Education and Training](#)

[Expediting Restoration](#)

[Future Comprehensive Plan Revisions](#)

[Future Generations](#)

[Goals and Objectives](#)

[Habitat Conservation and Restoration](#)

[Importance of Gulf to Birds and Endangered Species](#)

[Large-Scale Projects](#)

[Proposal Development and Submission Guidelines](#)

[Public Comment Period - Extension Request](#)

[Public Engagement and Transparency](#)

[Relevance to Other Regions](#)

[Resilience and Climate Change](#)

[Science](#)

[Support for Specific Projects, Project Types and Locations](#)

[Water Quality and Quantity](#)

[Watershed/Estuary Approach](#)

Public Comments on the Draft Comprehensive Plan Update and Responses

Introduction

On August 23, 2016, the Gulf Coast Ecosystem Restoration Council (Council) released its draft Comprehensive Plan Update for a 45-day public comment period. During this comment period, the Council held six public meetings in the five Gulf Coast States, hosted two public webinars, a Tribal Engagement meeting in which five federally-recognized Tribes participated, and engaged with stakeholders across the

region. The Council accepted written comments via mail, email and through our website. Oral and written comments were accepted during the following public meetings:

Sept. 8, 2016	Webinar	5:00 p.m. CST
Sept. 12, 2016	Gulf Coast State College 5230 West US Hwy. 98 Panama City, FL	6:00 p.m. CST
Sept. 19, 2016	University of New Orleans 2000 Lakeshore Drive New Orleans, LA 70148	6:00 p.m. CST
Sept. 20, 2016	5 Rivers Delta Resource Center 30945 Five Rivers Boulevard Spanish Fort, AL 36527	6:00 p.m. CST
Sept. 22, 2016	Morgan City Municipal Auditorium 728 Myrtle Street Morgan City, LA 70381	6:00 p.m. CST
Sept. 26, 2016	University of Southern Mississippi Gulf Coast 730 East Beach Boulevard Long Beach, MS 39560	6:00 p.m. CST
Sept. 29, 2016	Sea Scout Base 7509 Broadway Galveston, TX, 77554	6:00 p.m. CST
Oct. 4, 2016	Webinar	2:00 p.m. CST

In general, all comments received including attachments and other supporting materials are part of the public record and are available on the Council website, www.RestoreTheGulf.gov. All comments are subject to public disclosure pursuant to protocols established by the Council in accordance with the Freedom of Information Act.

Over 300 people attended the six public meetings and two webinars and offered over 50 unique comments. In addition, the Council received more than 65,000 written comments from private citizens, businesses, other government entities (such as state, county and local), non-governmental organizations (NGOs), and others. The

number of stakeholders engaged during the public comment period, occurring over six years after the *Deepwater Horizon* oil spill, clearly shows that people continue to care deeply about Gulf restoration and are paying close attention to actions and decisions being made by the Council.

The ongoing involvement of the people who live, work and play in the Gulf region is critical to ensuring that oil spill penalty dollars are used wisely and effectively. The Council thanks all those who participated in this public comment process as well as those who have been supporting Gulf restoration activities for many years.

Comment Analysis Process

The Council is responding to verbal and written comments received during the 45-day public comment period. All comments have been carefully reviewed and analyzed. The Council's review and consideration of public comments is an important step in the Comprehensive Plan Update process. In addition to raising issues pertinent to this update of the Comprehensive Plan, public comments have also provided valuable insights that will help inform and improve the subsequent Funded Priorities List (FPL) process.

The Council used the Department of Interior's Planning, Environment and Public Comment (PEPC) database system to help manage and respond to public comments. Below, the Council has provided responses to all comments that were relevant to the draft Comprehensive Plan Update. (This document does not contain comments and responses that pertained to other matters that were not relevant to this update or to the Council's activities. For example, some commenters encouraged the Council to become engaged in activities for which it has no legal authority.)

In order to efficiently and effectively respond to the observations and recommendations provided by the public, the Council grouped comments and responses into general topics or themes, where possible. For example, common topics included the collaboration and coordination workshops and meetings as well as the science review process. Within those groupings, individual comments were combined where the topic or recommendation was related. In other cases, the Council provided responses regarding issues on which only one comment was received.

Changes in Response to Public Input

The Council received strong public support for the collaboration and coordination workshops and meetings discussed in the draft Comprehensive Plan Update. Many people who support this concept urged the Council to ensure transparency and tangible results from these collaboration and coordination efforts. The Council modified the draft Comprehensive Plan Update in response to this public

input. Similarly, there was strong support for the proposed changes to the science review process. Here as well the Council modified the Comprehensive Plan in response to this public input. These public comments and the associated changes to the Comprehensive Plan are discussed below in the sections entitled “Coordination and Collaboration” and “Science.”

Comments/Responses on the Comprehensive Plan

Accountability

Comment: Comments were received regarding the importance of accountability and oversight. For instance, commenters asked which agency(ies) or states are accountable for the RESTORE Act funds, noting that it is divided into five different allocations.

Response: The Council thanks these commenters for their attention to this important issue. The Council fully recognizes its obligations as a steward of RESTORE Act funds within its purview, and is committed to ensuring effective oversight and full accountability.

The RESTORE Act created five different components: the Direct Component; the Council-Selected Restoration Component; the Spill Impact Component; the Gulf Coast Ecosystem Restoration Science, Observation, Monitoring and Technology Program; and the Centers of Excellence (COE) Research Grants Program. The Council administers the Council-Selected Restoration Component and the Spill Impact Component. The Department of Treasury administers the Direct Component and the COE Research Grants Program (although the Act requires the COEs to report progress through the Council’s Annual Report to Congress). The National Oceanic and Atmospheric Administration administers the Gulf Coast Ecosystem Restoration Science, Observation, Monitoring and Technology Program.

Restoration activities funded under the Council-Selected Restoration Component are carried out by the federal and state members of the Council. After the Council approves funding for these activities in an FPL, funds are disbursed to the sponsoring Council member. The sponsoring member has primary responsibility for carrying out the activity in accordance with the FPL, subject to Council oversight. Activities funded under the Spill Impact Component are carried out by the states of Texas, Louisiana, Mississippi, the Alabama Gulf Coast Recovery Council and a consortium of Florida Gulf counties established pursuant to the RESTORE Act. Spill Impact Component funds are disbursed to these entities after the Council Chair (currently the U.S. Department of Agriculture) has approved their respective State Expenditure Plan (SEP) and the recipients have applied to the Council for grants for the project(s) and program(s) in their Council-approved SEPs. The recipients of Spill Impact Component funds have primary

responsibility for carrying out the activities in accordance with the respective SEP, subject to Council oversight.

Coordination and Collaboration

Comment: A large number of individuals and organizations thanked the Council for the Comprehensive Plan update, specifically voicing strong support for its focus on coordination and collaboration. Many people encouraged the Council to ensure that the coordination workshops and meetings are transparent and result in concrete next steps for improving efficiencies and coordination in Gulf restoration efforts. Commenters emphasized that this type of coordination is valuable for advancing both large- and small-scale projects, as well as for working across state boundaries.

Response: The Council is committed to transparency, particularly in the process for the development and selection of activities on the Funded Priorities List (FPL). The coordination and collaboration meetings discussed in the Comprehensive Plan Update are intended to be central to informing the development of future FPLs. In response to public input, the Council has modified the Comprehensive Plan Update to include an explicit commitment to providing opportunities for public input in the collaboration process. In addition, the Council modified the Comprehensive Plan Update to emphasize the need for tangible results from these meetings. This new language includes a description of the potential outcomes of the collaboration and coordination meetings and workshops, which will inform the identification of priority issues and outcomes in key watersheds/regions and future funding decisions, as well as the development of specific projects, programs, and partnerships to achieve those outcomes.

Comment: Some commenters asked for more detail on how the Council plans to coordinate with major Gulf restoration partners, particularly with respect to how leveraging of resources would work given that these partner programs have different funding timelines and schedules. Similarly, commenters pointed to the importance of project scheduling. A number of organizations recommended that future FPLs be timed strategically to facilitate coordination with other restoration funding streams.

Response: The Council recognizes the logistical challenges associated with leveraging and coordinating with various Gulf restoration programs, each with its own processes and timelines. The Council believes that by investing in coordination and collaboration with our restoration partners, particularly with the *Deepwater Horizon* Natural Resource Damage Assessment Trustee Implementation Groups and the National Fish and Wildlife Foundation, we can work together to identify and address such logistical challenges. The Council appreciates the recommendation regarding strategic timing of future FPLs. As we continue to coordinate with our restoration partners, the Council will consider

how FPL schedules can facilitate leveraging and help the Council advance the cause of collaborative, comprehensive Gulf restoration.

Creative Conservation Funding

Comment: A number of commenters commended the Council for its interest in creative conservation financing. A number of organizations encouraged the Council to consider reimbursement grants and ways to fund projects over multiple FPLs in order to support large-scale restoration.

Response: The Council recognizes the potential value of funding approaches that could help maximize resources and support large-scale projects. As with all federal agencies, the Council is legally constrained with respect to the commitment of future funds. Within those legal constraints, the Council is interested in examining any and all innovative approaches for funding large-scale projects and programs.

Comment: One commenter asked the Council to clarify its use of the terms “funding” and “financing” with respect to this commitment.

Response: The Council uses the term “creative conservation funding” to represent a broad category of potential innovative ways in which private and public monies could be leveraged or otherwise brought to the task of restoring the Gulf. In this context, “financing” is used synonymously with “funding” (i.e., where private or public funds are used to support coastal restoration projects or programs).

Comment: One commenter is concerned that the call for leveraging funds to support restoration activities might favor wealthy people or organizations that can afford to participate in this way. This commenter asked whether there were opportunities for people with more limited resources to participate.

Response: The Council’s interest in leveraging is intended to provide benefits to all coastal citizens and those who recreate, do business and/or enjoy the natural beauty of the Gulf coast. It does not in any way favor any particular group or segment of society. The Council supports leveraging as a way to get the greatest restoration outcome for the funds within its purview, thereby maximizing societal and ecosystem benefits. The Council is open to any and all potential funding partners. Beyond the issue of leveraging, the Council is committed to an open and inclusive process for engaging all interested citizens. As part of the Comprehensive Plan Update, the Council has committed to maintaining and enhancing public engagement, and emphasizes the importance of including under-represented communities.

Comment: One commenter encouraged the Council to set a leveraging goal of 2:1 or 3:1. Commenters encouraged the Council to consider issuing bonds to make more

restoration funding available in the near term. One commenter, who supported leveraging in general, cautioned that leveraging might somehow reduce funding opportunities for other programs.

Response: The Council greatly appreciates the support for leveraging. Since we do not have enough money to address all Gulf ecosystem needs, leveraging what we do have is essential for advancing comprehensive Gulf restoration. In its Initial FPL, the Council was able to achieve a high ratio of leveraged funds to RESTORE Council investment. The Council hopes to build upon this success and maximize the leveraging of funds wherever possible. The Council views leveraging as a way to advance shared goals among partner programs; it is intended to mutually support other programs rather than limit their respective funding opportunities. With respect to issuing bonds, the Council does not have statutory authority to borrow funds or to issue bonds or other debt, but is exploring other ideas for optimizing Council funding under current legal constraints.

Comment: A number of commenters encouraged the Council to try to involve private financing in its Gulf restoration work.

Response: The Council shares the commenters' interests in involving private financing in Gulf restoration. The Council is committed to exploring such opportunities, and welcomes any additional specific recommendations or opportunities in that regard.

Environment and the Economy



Comment: A number of commenters emphasized the importance of the shrimp industry with respect to Gulf recovery, with some of these commenters also emphasizing the importance of oysters. Other commenters emphasized the economic impacts from the *Deepwater Horizon* oil spill, particularly with respect to small businesses and the livelihoods of those who live and work on the Gulf. These commenters generally noted the connection between a healthy environment and a healthy economy.

Response: The Council fully recognizes the value of the shrimp, oyster, and fishing sectors as well as the importance of a healthy ecosystem in general with respect to jobs and communities across the Gulf. The Comprehensive Plan goals and objectives

explicitly prioritize actions that would benefit a wide range of aquatic species through restoring and conserving habitat, restoring water quality and quantity, and replenishing and protecting living coastal and marine resources. The Council has funded, and will continue to consider funding projects that provide substantial direct and indirect benefits to a wide range of aquatic species, including shrimp and oysters. By investing in such projects, the Council intends to benefit both the Gulf environment and the livelihoods and communities built upon it.

Comment: A number of commenters urged the Council to affirm in the Comprehensive Plan Update that the Council-Selected Restoration Component is to be spent exclusively on ecosystem restoration projects, as opposed to economic recovery activities. Commenters recommended that projects and programs be selected based on greatest ecosystem need, and that economic benefits not be a screening factor.

Response: The Comprehensive Plan Update reflects the Council's vision for an integrated and coordinated approach to Gulf restoration. This approach strives to restore both the Gulf environment and revitalize the region's economy. The latter will be accomplished through economic recovery activities funded under the Spill Impact Component and through the economic benefits of ecosystem restoration investments under the Council-Selected Restoration Component. As noted above, the Council is required to ensure that the economic activities funded under the Spill Impact Component are consistent with the goals and objectives set forth in the Comprehensive Plan. As with the Council's Initial FPL, projects and programs proposed for inclusion in future FPLs will first and foremost be evaluated according to the RESTORE Act priority criteria.

Comment: Some commenters were concerned with the Comprehensive Plan goal regarding restoring and revitalizing the Gulf economy, and urged the Council to ensure that all projects and programs funded under the Spill Impact Component are consistent with the other four goals set forth in the Comprehensive Plan.

Response: The Council's fifth goal (regarding restoring and revitalizing the Gulf economy) reflects the understanding that a strong economy is based on a healthy environment. By investing in ecosystem restoration projects in the Council-Selected Restoration Component, the Council is helping maintain the environmental and economic foundation for Gulf coastal communities. In addition to the many economic benefits that are derived from the coastal environment, the implementation of restoration projects and programs also creates jobs across the Gulf. (The Council has edited the Comprehensive Plan Update to further emphasize the connection between the environment and the economy.) Beyond these ecosystem-based economic benefits, the goal of restoring and revitalizing the Gulf economy pertains directly to Spill Impact Component activities such as infrastructure projects and workforce development. Pursuant to the RESTORE Act, the Council will ensure that any such

economic activities funded under the Spill Impact Component are consistent with the goals and objectives set forth in the Comprehensive Plan.

Comment: Commenters expressed interest in having local labor employed in the implementation of activities funded pursuant to the RESTORE Act.

Response: The RESTORE Act requires the Council to “develop standard terms to include in contracts for projects and programs awarded pursuant to the Comprehensive Plan that provide a preference to individuals and companies that reside in, are headquartered in, or are principally engaged in business in a Gulf Coast State.” On July 22, 2016, the Council issued its policy for implementing this local contracting preference. The Council will apply the local contracting requirement at the federal level, while permitting each state to apply any local contracting preference in conformance with state law. More detail on this policy can be found in the Council’s July 22, 2016, Federal Register notice:

<https://www.federalregister.gov/documents/2016/07/22/2016-17328/local-contracting-preference>.

Environmental Education and Training

Comment: A number of commenters stressed the importance of environmental education and jobs training. One commenter recommended that the Council commit a percentage of its funds to environmental education, including place-based education and ocean literacy. Commenters also emphasized the importance of job training, specifically local training, and commended the Council for funding environmental training for youth in particular.

Response: The Council shares the commenters’ views on the importance of environmental education and job training. As noted in the Comprehensive Plan Update, the Council recognizes that the job of restoring and protecting the Gulf will be an ongoing task passed on to future generations. Environmental education is critical for ensuring that present and future generations are prepared to engage in and lead this important work. In its Initial FPL, the Council approved funding for environmental education and training activities, including the SeaGrant Education and Outreach program and a program entitled Gulf of Mexico Habitat Restoration via Conservation Corps Partnerships (which includes funding expressly in support of training for local communities and Tribal youth from federally-recognized tribes). Future Council funding decisions regarding such activities will be made in subsequent FPLs. The Council encourages the commenters to remain engaged in the Council’s work and to continue to promote environmental education and training.

Expediting Restoration

Comment: A number of commenters expressed an interest in making sure that Gulf restoration proceeds with a sense of urgency. A number of organizations expressed support for the Council's commitment to efficient, effective and transparent environmental compliance. Commenters expressed concern that activities approved in the Initial FPL were not moving forward quickly enough and recommended using area-wide environmental impact studies.

Response: The Council shares the interest in seeing Gulf restoration move forward expeditiously. The Council has and will continue to use tools and approaches that expedite restoration projects and programs. At the same time, the Council must be an effective steward of the monies within its control and maximize restoration effectiveness with this unprecedented opportunity. The Council must also ensure that the projects and programs it funds are based on sound science and follow all applicable environmental laws. Investing time up front also enables the Council to develop collaborative partnerships to maximize the effectiveness of its funds through leveraging of resources with other restoration partners. Equally important, the Council must ensure that the public has an opportunity to meaningfully engage in the process of developing and selecting future projects and programs. Thus the Council must balance the need to move quickly with other critical considerations such as science, public engagement, collaboration and all legal requirements. We believe that achieving such a balance will result in the best possible environmental outcome for our Gulf restoration investments.

Future Comprehensive Plan Revisions

Comment: One commenter recommended that the Comprehensive Plan be considered a living document, subject to future changes.

Response: The Comprehensive Plan is indeed a living document, subject to future changes. The RESTORE Act requires the Council to update the plan every five years. As with this current Comprehensive Plan Update, the Council considers public input, science, funding and other matters in determining what changes might be necessary. The Council intends to continue to monitor and learn from its restoration investments, and adapt future iterations of the Comprehensive Plan as necessary to ensure the most effective use of the funds under its purview.

Future Generations

Comment: Several commenters emphasized the importance of restoration to future generations.

Response: The Council is also committed to restoring the Gulf for present and future generations and wants them to benefit from all that a healthy and sustainable Gulf environment can provide. To that end, the Council is focusing on projects and programs that can provide lasting ecological benefits. The Council also recognizes that the job of Gulf restoration will not be completed by the present generation; future generations will have to continue this important work. In addition to leaving behind a healthier environment, the Council also hopes to leave a legacy of collaboration and effective governance upon which future generations can build.

Goals and Objectives

Comment: One commenter offered support for the Comprehensive Plan Update goals and objectives. Some commenters stated that the Comprehensive Plan goals and objectives are too vague and should be more specific. Similarly, some commenters requested that the Council vision include measurable metrics.

Response: The Comprehensive Plan goals and objectives are intended to apply across the Gulf, encompassing a wide range of potential projects and programs. These goals and objectives are sufficiently broad to ensure consistency with the RESTORE Act priority criteria for the Council-Selected Restoration Component. They also provide the Council with the latitude to work collaboratively with its restoration partners to identify and advance the most effective projects and programs. These same considerations apply to the Council's vision. The Council fully recognizes that the value of greater specificity and metrics in the review and implementation of projects and programs. This greater specificity and measurement occurs at the FPL stage during the review of all submissions, and in the implementation of projects and programs on the approved FPL.

Comment: One organization pointed out that the Comprehensive Plan Update does not contain an objective regarding the Gulf Coast economy, noting that the RESTORE Act Spill Impact Component allows for funding of activities to support economic recovery and that such activities must be consistent with the goals and objectives of the Comprehensive Plan. This commenter requested that the Council add a Comprehensive Plan objective regarding economic recovery.

Response: State Expenditure Plans (SEPs) funded under the Spill Impact Component must, among other things, be consistent with the "goals and objectives of the

[Comprehensive] Plan.” 33 U.S.C. § 1321(t)(3)(B)(i)(III). The Comprehensive Plan Update includes the goal of restoring and revitalizing the Gulf Coast economy. The Council’s view is that if an SEP satisfies the RESTORE Act SEP criteria (including being consistent with the goals and objectives of the Comprehensive Plan), an individual economic activity included in the SEP does not have to directly address a specific Comprehensive Plan objective. The absence of a specific Comprehensive Plan objective regarding economic recovery thus does not preclude the Council Chair from approving an economic recovery activity included in a fully compliant SEP. Thus the current Comprehensive Plan objectives are sufficient to enable the Council to support economic activities allowed under the Spill Impact Component. The Council will, however, consider amending its Spill Impact Component guidelines to clarify that the absence of an economic objective in the Comprehensive Plan does not preclude Council Chair approval of economic recovery activities that are otherwise authorized within the Spill Impact Component.

Habitat Conservation and Restoration

Comment: Commenters emphasized the importance of conserving and/or restoring Gulf habitats and natural resources including wetlands, beaches, oyster reefs, marine habitats and more. Commenters also supported land acquisition. One organization encouraged the Council to make land acquisition a core strategy to meet all five comprehensive plan goals.

Response: Habitat restoration and conservation is essential to a healthy and sustainable Gulf. In the Comprehensive Plan Update, the Council recommits to restoring and conserving the health, diversity, and resilience of key coastal, estuarine and marine habitats. These include barrier islands, beaches, dunes, coastal wetlands, coastal forests, pine savannahs, coastal prairies, submerged aquatic vegetation, oyster reefs, and shallow and deepwater corals. In its Initial FPL the Council approved funding for the conservation and restoration of wetlands, oyster reefs, forests and other coastal habitats. The Council is committed to continuing to restore and conserve Gulf habitats through collaboration with our restoration partners, leveraging of resources, public engagement and use of the best available science.



Comment: Commenters emphasized the need to protect existing habitat and environmental values by avoiding development in environmentally sensitive areas.

Response: The Council recognizes the value of conserving existing habitat. The Initial FPL includes funding for a number of habitat conservation projects that will protect a range of sensitive coastal ecosystems. The Council will continue to consider conserving habitat in future FPLs.

Importance of Gulf to Birds and Endangered Species

Comment: Several commenters stressed the importance of the Gulf Coast to birds, emphasizing the need to address damage done to avian species as a result of the spill.

Response: The Council fully recognizes the value of Gulf ecosystems to an array of migratory, resident, and endangered bird species. The Council recognizes that the Deepwater Horizon oil spill and other environmental damages have and continue to harm avian species through direct impacts to individual birds, as well as degradation and loss of important habitat and food resources. The Comprehensive Plan goals and objectives prioritize actions that would benefit avian species through restoring and conserving habitat and other actions. In addition, the Council revised its second goal to restore both water quality and quantity. Restoring water quantity can greatly help birds, such as the whooping crane in Texas, where they primarily feed on blue crabs which are affected by the quantity of fresh water. In its Initial FPL the Council also approved funding for activities that would benefit birds by restoring and conserving valuable coastal habitat, reducing the risk of future oil spills and improving water quality. The Council will continue to fund such projects to provide substantial and lasting benefits for a wide range of bird species.

Comment: Several commenters also stressed the importance of the Gulf to endangered turtle and marine mammal species, and highlighted that these marine resources were significantly impacted by the spill.

Response: The Council recognizes that marine resources (including turtles and marine mammals) were significantly impacted by the *Deepwater Horizon* oil spill and agrees that comprehensive Gulf restoration must address these impacts. The Comprehensive Plan includes a goal aimed at protecting and conserving living marine resources. In addition, the Plan's other goals and objectives prioritize actions that will provide indirect benefits to marine resources through the restoration of coastal watersheds and by addressing water quality/quantity issues. In its Initial FPL the Council approved funding for several activities that would benefit marine species. For example, reducing pollutant loadings in coastal waters improves the habitat that many of these marine species and their prey rely on during some stages of their life cycle. The Council will continue to

fund such projects to provide benefits for a range of endangered turtle and marine mammal species.

Large-Scale Projects

Comment: Many individuals and organizations commended the Council for focusing on ways to advance large-scale projects in the Comprehensive Plan Update, with some noting that large-scale projects are absolutely necessary to ensure long-term sustainability of the broader restoration efforts and improved comprehensive health of Gulf ecosystems. Similarly, several commenters specifically thanked the Council for the 10-year Funding Strategy and its relevance to funding large-scale restoration activities. Commenters also emphasized the importance of selecting projects with Gulf-wide implications.

Response: The Council thanks these commenters for their support of large-scale restoration actions, consistent with the priority criteria set forth in the RESTORE Act. The Comprehensive Plan Update includes specific measures to meet this important criterion, including an FPL frequency that allows for pooling of funds, an emphasis on collaboration and coordination to help identify leveraging opportunities, and a commitment to exploring opportunities for creative conservation funding. Going forward, the Council will work among its members, other funding sources and interested stakeholders to develop and implement large-scale restoration activities that provide substantial regional and Gulf-wide benefits.

Comment: One organization emphasized that the size of a particular project does not necessarily correlate with the magnitude of its ecological impact. This commenter noted that relatively small projects can be highly cost-effective and can result in large-scale benefits. This commenter urged the Council not to use an arbitrary acreage or size threshold in determining whether an activity is large-scale.

Response: The Council recognizes that projects and programs that are relatively small in size or scope can nevertheless provide or contribute to large-scale benefits. For example, a relatively small habitat conservation project could contribute to significant ecosystem benefits by bridging together existing protected areas to form a larger and contiguous block of conserved habitat. For this and other reasons, the Council is not establishing a numeric definition of “large-scale.”

Proposal Development and Submission Guidelines

Comment: Many individuals and organizations thanked the Council for its commitment to improve the Submission Guidelines in order to support the most effective projects and programs. These commenters noted that improved Submission Guidelines can enhance the objectivity and transparency of the selection process. Among other recommendations, a large number of commenters requested that the Council provide

information on how proposals are developed, to shed additional light on this aspect of the FPL process. They also requested that there be opportunities for public input on future iterations of the proposal Submission Guidelines.

Response: The Council thanks these commenters for their support of improving the Council's Submission Guidelines and commits to doing so. As with other aspects of the FPL development process, the Council will consider relevant past public input, and will make the revised Guidelines available to the public. The Council will also consider additional opportunities for public input on this aspect of the FPL process.

The collaboration and coordination discussed in the Comprehensive Plan Update is envisioned as a key part of the future FPL process. This collaboration and coordination could affect the type, number and scale of future proposals, as well as the way in which Council members work together to advance specific activities. This in turn could be relevant to the process the Council will use for developing and evaluating future proposals. Thus it would be premature to commit now to specific changes in the Submission Guidelines. As emphasized in the Comprehensive Plan Update and elsewhere, the Council is committed to transparency and public engagement, and will seek to ensure that the collaboration and coordination, proposal development process and other aspects of the FPL process are transparent and inclusive.

Comment: A number of commenters requested that the Council edit the definition of "project" to allow for projects with multiple implementation phases. These commenters also suggested the Council facilitate the evaluation of programs by distinguishing between programs that involve monitoring, tool development and other supportive actions, and those programs that involve on-the-ground restoration.

Response: The definition of "project" in the Comprehensive Plan Update does not preclude the Council from consideration of projects with multiple implementation phases. The definition also does not preclude scenarios in which the Council would work with another funding source(s) to share the cost of implementing a project. Indeed, the Council remains interested in working with its restoration partners to identify such leveraging and co-funding opportunities.

The Council recognizes the need for the evaluation of projects and programs to take into consideration, and be tailored to, the specifics of the given activity. For example, the review of planning projects differs in some ways from the review of implementation projects. The latter are subject to environmental compliance requirements not applicable to planning-only activities. There may also be differences in the way in which such actions are reviewed in terms of best available science. Going forward, the Council will continue to consider ways to ensure that the reviews of projects and programs are rigorous, consistent and, at the same time, tailored as appropriate to the specific types of activities under consideration.

Comment: Commenters requested that the Council ensure that project assessments adequately evaluate and prioritize impacts on vulnerable communities, community resilience and culture. Commenters also encouraged the Council to focus on communities that were directly impacted by the oil spill.

Response: By restoring and protecting the Gulf environment, the Council believes it can help communities enhance their ability to recover from natural and man-made disasters. As it develops future FPLs the Council will continue to consider how proposed projects and programs could affect community resilience. The RESTORE Act's four priority criteria mandate the ways in which Council-Selected Restoration Component dollars should be spent. While these criteria do not call for the Council to specifically prioritize vulnerable or the most impacted communities in its project selection process, the Council remains interested in considering such important issues as we move forward.

Public Comment Period - Extension Request

Comment: Two commenters requested that the 45-day public comment period for the draft Comprehensive Plan Update be extended by two weeks, noting the challenges facing underserved communities. One commenter requested the extension in order to allow the Vietnamese community more time to provide comments, noting that some stakeholders might need additional time due to the shrimping season.

Response: The Council is sensitive to the challenges facing the Vietnamese community and other stakeholders, particularly in underserved and disadvantaged communities, with respect to participation in coastal restoration. The Council translated the draft Comprehensive Plan Update and associated factsheet into Vietnamese, releasing the Vietnamese materials simultaneously with the English versions. In addition, the Council met directly with representatives of the Vietnamese community to discuss the draft Comprehensive Plan Update.

The request for an extended public comment period was balanced against the need to expeditiously finalize the Comprehensive Plan Update and advance coastal restoration. Other stakeholders have requested that the Council act with urgency. Thus the Council is tasked with fully engaging the public while not delaying restoration work. The Council believes that the public meetings held across the Gulf, the webinars, the simultaneous release of translated documents, and the 45-day comment period provided robust public engagement opportunities; therefore additional time is not warranted in this case. Moving forward, the Council will continue to look for ways to further facilitate a full array of public involvement opportunities

Public Engagement and Transparency

Comment: Some commenters recommended that the Council enhance transparency and public engagement by creating a citizens' oversight advisory committee. Some commenters raised concerns with the public engagement process for the Initial Comprehensive Plan and urged additional opportunities for public input on the current update.

Response: Since its inception the Council has endeavored to ensure transparency and inclusiveness in all activities. To that end the Council holds public meetings across the Gulf, conducts webinars, publishes extensive documentation pertaining to project selection, maintains a robust web-page (that includes a Freedom of Information Act Library and an Environmental Compliance Library), translates its materials into Vietnamese, carefully reviews and responds to public input, includes the public in the evaluation of its past work, and more. The Comprehensive Plan Update commits the Council to further enhancing transparency by, for example, involving the public in future collaboration workshops and meetings. The Council is also committed to enhancing outreach to underrepresented communities.

While a citizens' oversight or advisory committee can be effective in some scenarios, it is not clear that such a tool is appropriate in light of the Gulf-wide nature of the Council's work. An effective citizens' committee must represent a broad and diverse range of stakeholders, yet should not be so large as to hamper logistics, dialogue and internal consensus-building. The Council's work is relevant to a wide array of stakeholders not just in the five Gulf States, but also to people and organizations across the country who recognize the value of our work to the nation. These stakeholders represent businesses, fishing communities, environmental organizations, advocates of good government, scientists, members of academia, and most of all a diverse group of citizens. It is unclear how one committee could effectively represent such a broad array of stakeholders while not being so large as to be unwieldy and ineffective. Indeed, the selection of the members of such a committee could well result in the exclusion of others, possibly working at cross purposes with the intent of increased transparency and inclusiveness. Given these challenges, the Council has sought other ways to broadly and inclusively engage the public, including using the tools the Council has employed to date. The Council remains open to considering other ways to improve transparency in all that it does.

Comment: Commenters asked how the Council intends to engage fishers and other small businesses in Gulf restoration.

Response: The Council recognizes the harm done by the *Deepwater Horizon* oil spill to fishers and other small businesses across the Gulf. We also recognize that such stakeholders can bring important perspectives and knowledge to the task of Gulf

restoration. The Council has endeavored to ensure that its activities are transparent and accessible to all stakeholders, particularly key interests such as the commercial and recreational fishing sectors. The Council remains open to recommendations regarding how these important stakeholders can be further engaged in our work. In addition, as noted above, the Council will apply local contracting preferences in implementing certain activities. More detail on this policy can be found in the Council's July 22, 2016, *Federal Register* notice:

<https://www.federalregister.gov/documents/2016/07/22/2016-17328/local-contracting-preference>.

Comment: One commenter emphasized the need for outreach to disabled persons to facilitate their involvement in this process.

Response: The Council is committed to ensuring access and inclusion of all interested citizens in its Gulf restoration efforts. The Council encourages anyone needing special accommodations to contact Council staff at RestoreCouncil@restorethegulf.gov.

Comment: Some commenters emphasized the need for the Council to do more to reach underrepresented communities, particularly those most impacted by the spill and those most reliant upon Gulf resources for subsistence. Another commenter encouraged the Council to make use of the Council Chair's (U.S. Department of Agriculture) experience working with minority farmers and underserved communities. Others recommended that the Council devote resources to a programmatic effort to build the capacity of nonprofits and groups representing vulnerable communities to engage the Council, its member agencies and the project development and assessment process.

Response: As noted in the Comprehensive Plan Update, the Council is committed to inclusiveness and public engagement, particularly with respect to underrepresented communities. To that end, the Council recognizes that standard approaches to public engagement might not effectively reach all stakeholders. The Council is fully committed to considering formal and informal methods for engaging underrepresented stakeholders. We remain open to any and all recommendations in that regard.

Comment: One organization expressed concern that a three-year FPL frequency would limit public input and participation.

Response: As indicated in the Comprehensive Plan Update, the Council envisions the creation of a new FPL approximately every three years, and is committed to reviewing this plan and making changes as needed. The Council believes that, in addition to other potential benefits (i.e. supporting large-scale activities), this three-year interval will allow for robust public participation in the FPL process.

Relevance to Other Regions

Comment: One commenter asked how the Council’s findings and solutions can be applied to other regions of the world.

Response: The Council is charged with addressing ecosystem challenges in the Gulf and its work is part of what may be the largest ecosystem restoration effort in the world. The Council and its Gulf restoration partners hope to set an example of highly effective interagency and public coordination and collaboration that restoration programs in other areas of this country and the world might learn from and emulate. The Council is also committed to utilizing adaptive management and the most recent advances in science to advance restoration and learn from its restoration investments. The knowledge gained from this restoration could be transferred to other ecosystem restoration efforts around the Nation and the world.

Resilience and Climate Change



Comment: A number of commenters raised concerns regarding climate change and its relevance to the Gulf environment and resiliency.

Response: By restoring and protecting the Gulf environment, the Council believes it can help communities enhance their ability to recover from natural and man-made disasters and help mitigate the impacts of climate change. The Comprehensive Plan Update discusses the importance of sea-level rise with respect to the resiliency of Gulf

ecosystems and communities. The Council also recognizes that sea-level rise has the potential to affect the resiliency and sustainability of restoration investments. Therefore, sea-level rise and other uncertainties are considered during the planning and project selection processes.

Comment: One commenter recommended that the Council evaluate projects based on their ability to combine economic benefits with storm protection and associated reductions in insurance costs. This commenter supported the use of levees and other structural measures for reducing storm risk.

Response: Investments in restoration of key ecosystem features, such as coastal wetlands and barrier islands, can improve the resilience of coastal communities. The Council has and will continue to consider supporting such projects within future FPLs. Under the Spill Impact Component of the RESTORE Act, the Council can fund ecosystem restoration, flood protection and other activities in support of the environment and economy. Such activities must be included in approved State Expenditure Plans (SEPs) and be consistent with the Comprehensive Plan goals and objectives.

Science

Comment: Many individuals and organizations thanked the Council for its focus on science, and recommended the Council look for interactions, synergies and cumulative benefits between and among projects during the planning process. They encouraged the Council to further strengthen the Comprehensive Plan Update by committing to the use of a science review panel that looks across all proposals to assess project interactions and maximize the benefits of projects selected. Some commenters recommended that the science review panel be multidisciplinary and external. Other commenters recommended having independent experts oversee Gulf restoration efforts and collect data pertaining to endangered species and other related matters. Commenters emphasized that the Gulf must be restored using science-based management and recommended that the findings of the science review panel be made public.

Response: The Council has reinforced its commitment to science-based decision-making in this Comprehensive Plan Update. In addition, the RESTORE Act requires the Council to implement projects and programs based on the best available science (BAS). The Council is fully committed to implementing BAS in the most effective manner that improves and informs restoration activities and decisions. To that end the Council has amended the Comprehensive Plan Update to reflect our commitment to updating the science review process questions and use of external reviewers. The Council is also committing to exploring the use of one or more science review panels. In addition, text has been included to indicate that the science reviews will help “identify opportunities for synergies and maximizing benefits.” As discussed below all Council-funded projects and programs will have data management and monitoring plans. The outcomes of the science review process as well as all data collected or compiled as part of Council-funded projects and programs will be made publicly available. This information, in addition to the data from other Gulf restoration efforts, will be utilized to develop future FPLs and assess project and program performance.

Comment: A number of organizations encouraged the Council to consult with other funding streams, relevant experts, and interested stakeholders in development of its data management and adaptive management plans. These organizations requested that the final Comprehensive Plan Update provide more detail regarding the work of the Council Monitoring and Assessment Program (CMAP), the Council Monitoring and

Assessment Workgroup (CMAWG) and the Gulf of Mexico Alliance (GOMA) Community of Practice (CoP). Commenters asked the Council to ensure that all stages of the restoration process are evaluated, that the results are periodically reported and appropriate changes are made to ensure success, and recommended that the results of this work be made public. Other commenters referenced the need for measurable goals.

Response: All Council-funded projects and programs include Data Management Plans (DMPs) and Monitoring/Observational Data Plans (ODPs). The templates and requirements of these plans can be found on the Council's Grants Resources Page at:

<https://www.restorethegulf.gov/gcerc-grants-office/gcerc-grants-resources>.

As the Council is committed to transparency, the public will have access to all data collected and/or compiled as part of Council-funded projects and programs, and this data will be provided yearly to the Council for review. All grants and interagency agreements the Council has with its recipients (state and federal Council members) have yearly reporting and evaluation requirements to assess if projects are on target to achieve project goals and objectives. The data management and monitoring templates also include a section for corrective actions that could be implemented to modify project performance if data indicate the project is not performing as expected.

As indicated in the Comprehensive Plan Update, the Council will explore opportunities to create consistency and collaborate with the *Deepwater Horizon* Natural Resource Damage Assessment (NRDA) Trustee Implementation Groups and the National Fish and Wildlife Foundation Gulf Environmental Benefit Fund restoration efforts where appropriate. For example, the Council will evaluate the intersection between the CMAWG efforts with the NRDA Cross-TIG Monitoring and Adaptive Management Workgroup. Details on the CMAP, CMAWG, and GOMA CoP can be found in the FPL appendices available on-line:

https://www.restorethegulf.gov/sites/default/files/FPL_forDec9Vote_Errata_04-07-2016.pdf

Moving forward, the CMAWG will discuss the development of measurable goals and a Council Adaptive Management Plan, and will coordinate with the larger Gulf community through the GOMA CoP. Products and deliverables developed as part of CMAP, CMAWG, and the GOMA CoP will be made public.

Comment: Numerous commenters recommended external expert evaluation of proposals in which additional funding is sought to scale up an existing project or if a similar project is being proposed. These commenters noted that this type of interim

performance review would help identify new scientific uncertainties, evaluate project effectiveness, support quality control, and identify potential efficiencies and synergies.

Response: The Initial FPL has already approved for funding a specific set of projects and programs. Each proposal on the FPL was reviewed for BAS, and all future proposals submitted to the Council will require external BAS reviews. If additional funding is sought from the Council to scale up an existing project or a new similar project is proposed, a new proposal will be submitted as part of the next FPL cycle and external BAS reviews will be conducted. The Council has also committed to a series of collaboration workshops ahead of the next FPL cycle. The collaboration workshops and BAS reviews can help identify new scientific issues, review the results of existing projects, and identify potential efficiencies and synergies ahead of any approval for funding.

Support for Specific Projects, Project Types and Locations

Comment: A number of individuals supported restoration of specific places and/or implementation of specific projects and/or types of projects, including the Pensacola Bay Living Shoreline project; restoration work in Perdido Bay; bird restoration in Alabama; habitat conservation in Mobile Bay; oyster restoration (and other scalable projects); up-river efforts to reduce Gulf hypoxia; wetland restoration in the Mississippi River Delta in general and the Bird's Foot Delta in particular; restoration of coastal Louisiana; efforts to address impacts to sea turtles; restoration of the Maurepas Swamp and Biloxi Marsh; support for the Gulf of Mexico Estuary Program and estuary programs in general; conservation adjacent to the Tyndall Air Force Base; St. Marks National Wildlife Refuge; the Apalachicola River in Florida; protection of Black Skimmers in Florida; restoration of the Mississippi Sound; additional levees in Louisiana; restoring hydrologic exchange in Mobile Bay; restoration of Timbalier Island and Terrebonne land bridges; barrier islands; a marine sanctuary; "working waterfronts"; the Atachafalaya River; and others.

Response: The Council thanks these commenters for their interest in restoration in general and the specific projects and locations. The Comprehensive Plan Update does not identify specific projects and programs; that is done in FPLs (under the Council-Selected Restoration Component) and State Expenditure Plans (under the Spill Impact Component). The Comprehensive Plan Update is designed to improve Council decisions by focusing on the process by which projects and programs are developed, reviewed and selected. The Comprehensive Plan Update is intended to provide strategic guidance to advance Comprehensive Gulf restoration. In 2017 and 2018, there will be opportunities to engage with the Council during the process of developing the next FPL. We would encourage these commenters to remain engaged in the work of the Council and our funding partners to continue to support the projects, programs and areas they feel are most important.

Comment: A number of commenters supported restoring natural ecological processes, with many supporting river diversions over dredge and fill marsh restoration techniques citing the fact that the former uses natural processes to restore the environment. Several other commenters support the Mid-Barataria Diversion in particular, and referenced the value of effective operation of such diversions. One group discussed the need for integrating navigation and restoration in the Lower Mississippi River.

Response: The Comprehensive Plan Update emphasizes the importance of restoring natural riverine processes, and acknowledges the value of diversions with respect to restoring ecosystem function and integrity. In its Initial FPL, the Council approved \$14,190,000 for planning activities in support of the Mississippi River Reintroduction into Maurepas Swamp. In addition, the Council approved \$9,300,000 for the Lowermost Mississippi River Management planning effort, which will advance sustainability and holistic river management in this deltaic ecosystem. These investments will help advance this important restoration technique. The Council remains open to considering additional investments in river diversions in future FPLs.

Water Quality and Quantity

Comment: One commenter raised concerns regarding water quality problems due to sewerage and drainage outflows. The commenter recommended that the Comprehensive Plan Update be modified to allow for work to address such issues. Other commenters emphasized the importance of water quality in general. Other commenters thanked the Council for including water quantity in the water quality goal.

Response: The Council recognizes that water quality and quantity are essential to the Gulf ecosystem. In its Initial FPL the Council funded a number of projects and programs that will have direct and indirect benefits to water quality and quantity, including capping of abandoned oil wells, implementation of agricultural best management practices, a freshwater inflow study and tool development, and restoration of wetlands, which help improve water quality by filtering nutrients and other pollutants. The Council also recognizes the importance of sewerage and drainage infrastructure with respect to Gulf water quality. The Council's existing goals and objectives (particularly Goal 2 and Objective 2) allow the Council to fund such work. For example, in its Initial FPL, the Council approved \$5,967,000 for stormwater treatment facilities and connection of septic tanks to new central sewer infrastructure in Florida's Pensacola Bay watershed. The Council thanks these commenters for emphasizing the importance of water quality and quantity, and will continue to consider opportunities to address such needs in the future.

Comment: Several commenters supported the addition of water quantity to the Council's original water quality goal, with one noting that a lack of fresh water (i.e.,

water quantity issues) can be a key ecosystem stressor in some Gulf estuaries. Another organization raised concerns that the addition of water quantity could signal the Council's support for specific projects that could have negative effects, such as on marine mammals. This organization reminded the Council of the need to comply with the Marine Mammal Protection Act, and urged the Council to consult with the National Marine Fisheries Service and the Fish and Wildlife Service, as appropriate, regarding projects and programs that could affect marine mammals.

Response: The Council thanks the commenting organizations for their strong interest in water quantity and support for marine mammals. The addition of water quantity is based on the general scientific understanding that water quantity is critical to the functionality of estuarine ecosystems. In some areas of the Gulf, increasing freshwater inflow is pertinent to estuary and species restoration; in other areas, decreasing the amount of freshwater input actually improves the downstream bays and estuaries. The addition of water quantity in Goal 2 does not reflect an endorsement or approval of any particular restoration project or program. The Council selects and approves projects and programs in its FPLs. It does not do so unless and until it has complied with applicable laws and after having coordinated and consulted, as appropriate, with all members, including the Departments of Commerce and the Interior.

Watershed/Estuary Approach

Comment: A number of commenters expressed support for the Council's use of the watershed/estuary approach. A number of organizations acknowledged the value of the watershed/estuary approach, but also encouraged the Council to consider other planning approaches that might be more appropriate to the scale and complexity of Gulf restoration.

Response: In developing the Initial FPL, the Council found the watershed/estuary-based approach to be an effective tool for addressing regional environmental challenges by considering more local environmental stressors, involving stakeholders and strategically addressing priority goals. Many stakeholders agreed with this observation; therefore the Council adopted the watershed/estuary-based approach as a strategic planning principle for future FPL development. At the same time, it is important to note that the watershed/estuary-based approach may not always be applicable to some activities that are otherwise good candidates for potential funding under the Council-Selected Restoration Component (e.g., certain Gulf-wide or offshore activities). There may be other types of planning approaches that complement the watershed/estuary approach or are simply better suited to complex and large-scale ecosystem restoration challenges. The Council remains open to considering such alternative approaches.